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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/458,248 12/09/1999		. GEORGE NICHOLS	02103-365001	02103-365001 8624	
26162 7	590 04/05/2006		EXAM	EXAMINER	
FISH & RICHARDSON PC			NI, SU	NI, SUHAN	
P.O. BOX 1022			ART UNIT	PAPER NUMBER	
MINNEAPOLIS, MN 55440-1022			2615		
		DATE MAILED: 04/05/2006			

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action After the Filing of an Appeal Brief

Application No.	Applicant(s)	
09/458,248	NICHOLS ET AL.	
Examiner	Art Unit	
Suhan Ni	2615	

After the Filing of an Appeal Brief	Examiner	Art Unit				
	Suhan Ni	2615				
The MAILING DATE of this communication appe	ears on the cover sheet with the co	rrespondence ad	dress			
The reply filed <u>17 January 2006</u> is acknowledged.						
. The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will <u>not</u> be entered because:						
a. The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).						
b. The affidavit or other evidence is not timely filed before the filing of an appeal brief. See 37 CFR 41.33(d)(2).						
2. The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.						
Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).						
3. 🖾 The reply is entered. An explanation of the status of the claims after entry is below or attached.						
4.						
			! !			
	SUHAN PRIMARY EX	*				
	PHIMAHY EX	(Amms.)				

In response to the Reply Brief filed 01/17/2006:

Regarding to I: the examiner agrees with the applicant, it should be corrected as the following:

(6) Grounds of Rejection to be reviewed on Appeal

The appellant's statement of the issues in the brief is correct.

All the grounds of rejection set forth in this statement of the issues in the appeal brief are subject to review.

Regarding to II-V, the examiner remains the position in the Examiner's Answer.